STATE OF ARIZONA FILED

AUG 25 2006

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

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BY _	

ĺ	in the Matter of)
	in the watter of) Docket No. 06A-173-INS	
	GREGORY RAY SWARTS	,)	
		ORDER SUMMARILY SUSPENDING	
) BAIL BOND AGENT LICENSE AND NOTICE OF OPPORTUNITY	
		FOR HEARING	
	_		
l	Respondent.		
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The Arizona Department of Insurance (the "Department") alleges that **Gregory Ray Swarts** has violated provisions of Arizona Revised Statutes ("A.R.S."), Title 20. In light of the serious nature of these allegations, the Director of Insurance for the State of Arizona ("Director") finds that the public health, safety and welfare imperatively require emergency action, within the meaning of A.R.S. §41-1092.11(B).

FINDINGS OF FACT

- Gregory Ray Swarts ("Respondent") is licensed as a bail bond agent, Arizona
 License Number 197525 which expires on January 31, 2009.
- 2. Respondent's address of record with the Department is: 5164 N. Western Blvd., Prescott, Arizona 86314.
- 2. On April 13, 2006, the insurer holding Respondent's surety bond notified the Department that Respondent's bail agent bond was to be cancelled on May 31, 2006.
- 3. On April 17, 2006, the insurer holding Respondent's surety bond notified Respondent that Respondent's bail agent bond was to be cancelled on May 31, 2006.

- 4. On May 31, 2006, the insurer holding Respondent's surety bond cancelled Respondent's bail agent bond.
- 5. On June 1, 2006, the Department sent Respondent a letter, return receipt requested, at his address of record, notifying Respondent that he had failed to maintain a surety bond as required by law.
- 6. On June 9, 2006, the Department's June 1, 2006 letter was returned "Not Deliverable as Addressed/Unable to Forward."
- 7. As of May 31, 2006, the Respondent has not maintained a bond in favor of this State executed by a surety insurer authorized to do business in this State.
 - 8. The public health, safety and welfare imperatively require emergency action.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction.
- 2. Respondent's conduct constitutes a violation of the requirement that each bail bond agent maintain in force while license a bond in favor of this State executed by a surety insurer authorized to do business in this State, within the meaning of A.R.S. § 20-340.02.
- 3. Grounds exist to order a summary suspension within the meaning of A.R.S. § 41-1092.11(B).

<u>ORDER</u> 1 IT IS HEREBY ORDERED THAT: 2 Respondent's license is summarily suspended effective immediately. 1. 3 4 DATED AND EFFECTIVE this 25th day of Angust 5 6 CHISTINA URIAS 7 Director of Insurance 8 NOTICE OF OPPORTUNITY FOR HEARING 9 Pursuant to Title 20 of the Arizona Revised Statutes, Respondent is hereby notified 10 11 that Respondent may request a hearing pursuant to A.R.S. § 20-161 to contest the summary suspension. Such request must be in writing and received at the following address within 12 thirty (30) days from the date hereof: 13 Arizona Department of Insurance 2910 North 44th Street, Suite 210 14 Phoenix, Arizona 85018-7269 15 Upon receipt of a timely written request for hearing, the Director will issue an order 16 setting the time and place of the hearing. 17 18 19 COPY of the foregoing mailed, return receipt requested, this 25th day of August, 2006, to: 20 Gregory Ray Swarts 21 5164 N. Western Blvd. Prescott, Arizona 86314 22. Respondent

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1	COPY of the foregoing mailed this day of, 2006, to:
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3	Mary Butterfield, Assistant Director Mary E. Kosinski, Exec. Asst. – Regulatory Affairs Steve Fromholtz, Licensing Director
4	Catherine M. O'Neil, Assistant Director Arnie Sniegowski, Administrative Investigations
5	Arizona Department of Insurance 2910 N. 44th Street, Suite 210
6	Phoenix, Arizona 85018
7	Office of the Attorney General Consumer Protection and Advocacy Section
8	Agency Unit
9	Phoenix, Arizona 85007-2997
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11	Currey Buston
12	Curvey Burton
13	
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